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MEMORIAL

OF THE LATE

HONORABLE DAVID S. JONES.

WITH AN APPENDIX,

CONTAINING NOTICES OF THE

JONES FAMILY, OF QUEEN'S COUNTY.

NEW-YORK;
STANFORD AND SWORDS, 137, BROADWAY.
AND FOR SALE BY
BANKS, GOULD, & Co., 144, NASSAU-STREET.

1849.

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NEW YORK
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J. R. M'GOWN, PRINTER,
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INTRODUCTION.

In making up this little volume, the principal object of the present writer was to collect together the different obituary notices of his late honored Father, in a form less ephemeral than those in which they originally appeared. And in addition, to reprint the biographical sketches of the more prominent members of the family of Jones, of Queens County.

The memoir which precedes the obituary notices may be regarded as an illustrative commentary upon them, a simple statement of facts, necessary to a more complete view of the career of the subject of such sincere and hearty eulogium.

The influence of the character of Mr. Jones, was as extensive as the knowledge of it; and a record of the testimony of the best judges to his purity, integrity, and elevation, is justly due to his good fame—the richest legacy he has left his children.

So circumscribed, however, is professional reputation, more especially in the case of the able lawyer, than in that of the popular divine, or skilful physician, that unless connected with distinguished political standing, it appears to be comprehended almost entirely within the limits of the profession. The instance of Mr. Jones, furnishes no exception to this position. He was known chiefly to the elder members of the Bar, his contemporaries, (for whom this tribute is especially prepared,) and to the best portion of the society of New-York. But he should be known to many more, and it is hoped that this slight memorial may bring others acquainted with his name and sterling attributes, who might not otherwise have become acquainted with either.

W. A. Jones.

June 20th, 1849.

MEMOIR.

David S. Jones, the sixth son of Hon. Samuel Jones and Cornelia Haring, (a highly respectable old New-York family,) was born at his father's country-seat, West Neck, South Oysterbay, Queens county, November 3, 1777.

At an early period he came up to New-York to school, and after the usual preparation entered Columbia College, the head of his class, a position he maintained throughout his college course, graduating with the highest honors, a member of the class of 1796.*

* May 4.—The sole surviving members are Andrew Garr, Esq., and Dr. Wm. Turk, at one time, a surgeon in the navy.

To his latest days the effects of a thorough early training were evident; in his literary taste, correct and elegant; a memory, strong, quick, and ready, full of classic instances; a love of exactness and simplicity in language, and a judgment naturally clear and penetrating, rendered still clearer and stronger by the study of mathematics, to which, no less than for philological nicety, he had a natural fondness.

Soon after leaving college he was appointed private secretary to Gov. Jay, (between whom and his father there existed a strong and intimate affection,) and in whose family he resided, at Albany, between two and three years.

On his return to New-York, Mr. Jones became a student at law, in the best possible school, that of his father, and eldest brother.*

It is needless to inform any person who is at all acquainted with the history of the New-

* At present, one of the Judges of the Court of Appeals.

York Bench and Bar, for the last century, of the professional celebrity of this name. In Thompson's history of Long Island, under an historical memoir of Hon. Samuel Jones, may be found a succinct but clear account of the ancestry of Mr. Jones, two of whom were ante-revolutionary judges of the supreme court of the colony. And since their day there have been three generations of able lawyers, preserving the succession of legal eminence, amongst whom are to be counted three judges, with distinguished political partizans in the senate and assembly of this state.

At that epoch of New-York society, (New-York was then a country town, the northern boundary of which, within the memory of the subject of the present sketch, was St. Paul's church,) every gentleman occupied that place to which he was justly entitled from birth, education, talents, professional skill, and personal character.

First, among the first, Mr. Jones was pro-

minent as a gay and accomplished man of fashion, a character he sustained with spirit and vivacity. He took part in all the current amusements and popular associations of the day: as a young man, and ever afterward "a knightly, gallant worshipper of the ladies."—New-York has now grown to be a large city, a cosmopolitan metropolis, a western London and Paris combined, of course very considerably smaller than either, and less elegant than the latter; yet possessing something of the characteristic traits of both great cities, with scarcely anything of Nieuw Amsterdam left to declare its original. In some wards, it is a German colony; in others, a French faubourg; here a Jews' quarter, and there a confused mingling of the various British races. Of Americans residing here, a large body is from New England; and, it must be confessed, there are few Knickerbockers left—but few veritable New-Yorkers, in New-York.

Local feeling is weaker here than perhaps

in any city of the Union. A little band attempt to keep alive the spirit, but it is almost extinct. Two of the latest addresses before the St. Nicholas Society, on the last two anniversaries, by Mr. C. F. Hoffman and President Duer, show what might yet be done to keep fresh the memory of the days and the men that are either gone, or rapidly passing away. A history of the colony and state, by the first gentleman, and which would come fitly from him, would crown an already enviable reputation, literary and personal, by superadding the graces of historical narration to the united talent of the agreeable poet and spirited prose-writer; who is at the same time, what so few American writers can justly boast of being, an accomplished, liberal-minded gentleman. President Duer is pre-eminently well fitted to write the social history of the city, not only of the last quarter of the last century, but of this first half of the present. No person has had better

opportunities than he of a wide and intimate acquaintance with the first men of his day, and with the various, changing history of the city and of its society.

We may have gained vastly as to wealth and the increase of business, in trade and manufactures, in the arts of life and elegancies of living, but we have lost ground in some particulars. The old gentry are almost all gone, the glories of the Bar have become matters of tradition. The stateliness and ceremonial of the old school of manners, are considered unmeaning and ridiculous; the pleasing courtesies of conversation are met rarely, save in a still lingering specimen of the same old school, or in one of those few gentlemen by nature, "God Almighty's gentlemen," who commence new families, and are almost as rare as men of genius.

But the present writer, is altogether too young a man to have a right to talk thus; he represents the views of current conversation

of his elders, whom he has been accustomed to defer to; and although he does not feel quite at liberty to dissent from their judgment, should not, perhaps, incur the censure of being "laudator temporis acti," until his head is greyer than it is now.

Before the Revolution, there existed unquestionably an aristocracy, which gave the tone to the colonial society, at the head of which stood the chief officers of the crown, the highest almost invariably being of noble family, at least, of gentle blood; and immediately after them ranked the most eminent professional characters, the clergy and law almost on the same footing, and in advance of the faculty; the great landholders, or patentees; and the merchants, of the first class. The bar, however, was pre-eminently then the profession of a gentleman, and the republican road to political influence.

The profession of the law, is, and always has been, the leading profession of the coun-

try, from Boston to New Orleans, and particularly here in New-York, even in this commercial metropolis. A good reason for this, is found by the most sagacious foreign critic of our government, De Tocqueville, in the fact, that the bar forms essentially the bulwark of political liberties, that it is pre-eminently the intelligent and fearless defender of political rights; at the same time, the true conservator of law and order; and while most in harmony with the spirit of the best Republicanism, "the most powerful existing security against the excesses of the democracy."

It has given the ablest orators, the finest writers, the most sagacious statesmen, to the country. Of our presidents, we believe, nine out of the twelve had either been lawyers in practice, or at least read law, with a professional object.

The profound speculatist quoted above explicitly declares, "If I were asked where I placed the American aristocracy, I should re-

ply, without hesitation, that it is not composed of the rich, who are united together by no common tie, but that it occupies the judicial bench and the bar."

The Bench and Bar of that era, and of the period preceding it, presented a galaxy of talent since unequalled. From an interesting discourse by President Duer, before the St. Nicholas Society, last winter, we transcribe a retrospection:

"In my attendance upon the courts, I witnessed some of the best efforts of some of the greatest men that ever adorned the bar. I have listened in blind admiration to the black letter learning of the elder Samuel Jones, and with breathless emotion to the lucid and impassioned eloquence of Hamilton. I have sometimes felt in danger of fascination by the imposing self-possession and sententious brevity of Burr, and actually captivated by the graceful rhetoric of the classic but sarcastic Harison, the candid ingenuity of Brockholst

Livingston, and the legal acumen and Nisi Prius tact of the elder Ogden Hoffman. Nor did I the less appreciate the more homely, but not less forcible, logic of Cosine and Troup; the special *dry* pleading of Caleb S. Riggs; or the elaborate arguments of the indefatigable Pendleton, my old master, to whom I was indebted, not merely for my professional education, but for a friendship extended to me when most needed, and ending only with his life."

And, also, from an eloquent and discriminating tribute, by Daniel Lord, Esq., to the memory of Chancellor Kent, on the occasion of his decease, at a meeting of the bar, Dec. 14, 1847, we extract the following fine passages :—

"The Bar who surrounded the court of that day, our honored predecessors, were men not to be forgotten. There was the sagacious, the complete Hamilton; the honest-minded Pendleton; Harison, the learned, the elabo-

rate; Hoffman, that ingenious, polished master of the advocate's art; the deeply learned, wide-searching Riggs;—these were the bar over whom this youthful judge was to preside, the conflicts of whom he was to govern, upon whose arguments he was to decide.

"And, coming to *a later period*, there was a scarcely less brilliant array of mighty spirits. Not daring now to name the living, now present with us, (and long may it be before it shall be allowed to us in this way to name them,) let me bring up to your view Emmet, whose enlarged and extensive learning was equalled by his child-like simplicity of heart; Colden, the polite scholar, the speculative philosopher, the able lawyer; also that model of all that is venerable in our memory, Van Vechten, whose teeming eloquence was Ciceronian, and charmed every heart; the terse, the highly gifted Henry; the younger Jay, full to abounding in every noble trait; and that union of scholar, lawyer, orator and gen-

tleman, John Wells. These were the men whom the times brought forth, and who reflected and also gave an illustrious light.

"Look also at the bench during the period of which we speak. The ingenious, polished Livingston; the sound and judicious Radcliff; Thompson, the honest, steady, and stanch friend of all that was true and just; Van Ness, the accomplished man of genius; Platt, the sedate, the sober-minded; and last, him, who in every trait and lineament, in every part and member, was every way a giant, Spencer. With these associates, as competitors and coadjutors, did Judge Kent dispense justice. To whom of them all was he unequal?"

In the *quasi* war with France, Mr. Jones was first lieutenant in a volunteer company, commanded by Peter A. Jay.

About this time, Mr. Jones was a member of a literary society, (of which the late Peter A. Jay was president,) composed, among others, of Nathan Sandford, Charles Baldwin, John

Ferguson, Jas. Alexander, Rudolph Bunner, Goveurneur Ogden, the first Philip Hamilton, William Bard, Wm. A. Duer, Philip Church, John Duer, and Beverley Robinson; of whom the last five are the only survivors.

"For several years after his marriage," writes President Duer, in a letter valuable for its personal details, and still more for the generous and kindly spirit it breathes, "he observed a prudent but liberal economy in his household and personal expenditure, and was rewarded for his self-denial and forbearance by such an increase of the fortune he inherited,* and that subsequently acquired by

* From his father's marriage into the Herring family, he became, through his wife, heir to a noble estate, of which Mr. Jones's share was large. Of that property, now so valuable, he died owning not one foot. He had made many purchases, from time to time, of real estate; but all that he held at the time of his death lay in other sections of the city. To give a general idea of the extent of the old Herring estate, it will be only necessary to mention, that the farm enclosed upwards of a hundred acres, in the very best

his own industry and exertions, as enabled him freely to indulge the generous impulses of his nature."

The same true friend writes thus of the personal character of his old associate, with whom he preserved an "intimacy cemented by personal intercourse, and which soon ripened into mutual esteem and confidence, uninterruptedly continuing for nearly half a century. I had, therefore, ample means of knowing the character of your father, and the more I learned of it the more I learned to respect, esteem, and love him. * * * I can safely affirm, that from his youth his moral character was unimpeachable, and that he was early distinguished for that high and nice sense of honor that accompanied him through life. It was, no doubt, as much

part of the city; and that, at the time of its division among the heirs, in 1784, it ranked as the second landed estate in the city. The Bayard farm alone exceeded it in value: the Stuyvesant farm was very far inferior to it.

to this chivalrous trait as to his professional skill, that he owed the confidence so unreservedly reposed in him by his clients, in cases of the utmost delicacy and importance."

Duelling was, then, a fashion. Custom had rendered it imperious to accept a challenge or to incur the penalty of exclusion from society in the event of a refusal to fight. And hardly a lawyer of respectability, or gentleman of mark at that day can be mentioned, who had not been engaged in an affair of the kind.

A comparatively trifling cause led to a hostile meeting between Mr. Jones and an eminent advocate, and which, happily, resulted in no serious injury to either party. It was in compliance with the requirements of public sentiment that Mr. Jones became involved in an encounter of this nature. The practice was then considered not only defensible, but essential, on the ground of preserving a nice sense of honor and of cherish-

ing a delicate regard for the feelings of others. It served as a check upon familiarity and rudeness, and inspired sentiments of generosity and devotion.

The estimation in which Duelling was then held exists still in certain districts of the South, where a condition of things is to be found similar to that which prevailed here in New-York formerly, and which gave the tone to the manners of that period.

Masonry, too, was then a fashion. Mr. Jones became a Royal Arch Mason, Master of his Lodge, and Templar. In a prudential and social point of view, this was a good school.

"Had the Institution of Masonry," says Dr. Hosack, (Memoir of Dewitt Clinton,) "been otherwise than the means of diffusing the blessings of benificence and of that charity, that best of virtues, that binds man to man, it would never have received the uniform support of men distinguished for their intelligence, integrity, and piety; on the con-

trary, could it even tacitly have sanctioned any departure from the strictest rules of rectitude or honor, it would long since have been abandoned by the virtuous and wise.

While quite a young man, Mr. Jones's personal intimates were Peter A. Jay, Maltby Gelston, Beverly Robinson, Rudolph Bunner, Philip Church, William A. Duer, John Duer and Elbert Herring. The friends of his youth were the friends of his age, and those with whom he had been early familiar, remained his nearest friends to his latest moments. In later life, the names of John Wells, and of Clement C. Moore in particular, with that of Peter A Jay, ought to be added to his list of near friends.

With professed authors or artists he associated little, save those with whom he had been early connected in New York society. Irving and Cooper were among his personal friends. Cooper, the actor, he often met in society when young, and from him derived a

taste for elocution admirable for its impressiveness and dignity.

With some of the gentlemen above mentioned, and certain others with whom he was hardly less intimate, Mr. Jones was connected in Columbia College and the City Library, *

* The New-York Society Library is one of the few old New-York Institutions still remaining. The Charter was originally drawn up by the Hon. Samuel Jones, in 1754; (a collection having been in existence for nearly half a century before, but had never been incorporated by an Act of the Legislature.) During the war the Society was broken up and most of the Books dispersed. So, that, at the peace, only fragments remained of the former collection. A few years after the Charter was confirmed by a special Act, since which time the advancement of the Library has been steady. With the exception of a *locum tenens* of one year, and a longer *interregnum*, during the minority of the present able and worthy Librarian, when his uncle occupied the office, the duties of it have been fulfilled by father and son, exclusively, since its creation. For both of these gentlemen Mr. Jones entertained a strong feeling of esteem and confidence, which was warmly repaid by a genuine feeling of respect and admiration.—This Library has been, and

(of which his father had drawn up the original charter,) two old New-York Institutions, as Trustee; in the former Institution, from 1820 to the day of his death; and in the latter, from 1817 to 1836, with the intermission of two years—1832-34.

A list of Mr. Jones's intimate associates, (which should also number all of his clients, who adhered to him through a long career, and cherished a strong personal regard, beside the early friends he never forsook during middle life and up to the day of his death,) would embrace the names of the first lawyers of his time, and the foremost public characters of the day in politics, the church, and general society.

With regard to the intercourse that subsisted between his most attached and confi-

should remain, the City Library, and ought to be liberally sustained by prominent and wealthy individuals. It properly serves as an upper college to the alumnus, and unites also an agreeable resort for the general reader.

dential friends among these, and himself, we may quote the remark of Emerson—"I know nothing which life has to offer so satisfying as the profound good understanding which can subsist, after much interchange of good offices, between two virtuous men, each of whom is sure of himself and of his friend."

With regard to the efficiency and value of his labors in the College Board of Trustees, we quote the emphatic language of ex-President Duer, which occurs in an address before the alumni, July 24, 1848, critically just and warm from his heart:—"There are others more recently deceased, who in their lives acquired an honorable fame, and in their deaths were deeply honored by their contemporaries—a second Jay, an Ogden, and a Jones*—all of the same profession, and pursuing the same walks in it; preferring its more retired and confidential, to its more prominent

* Peter A. Jay, Thos. L. Ogden, and David S. Jones, Esqs.

and litigious paths. The intercourse and sympathies of business drew closer between them the ties of personal friendship. They were more than able lawyers—they were Christian gentlemen and scholars; and in their lives and deaths exemplified those characters. They were not only among the most meritorious of the Alumni of this College, but among the most useful and active of its trustees; and the counsel and support I received from them in its superintendence vividly excited my gratitude, encouraged me in difficulty, brightened the chain of mutual friendship that had existed between us from early youth, and justify, whilst they prompt, this passing tribute to their memory." (Page 25.) And in a paragraph of the address before the St. Nicholas Society, December 1, 1848, the following generous tribute occurs, prompted by the cordial friendship of the same distinguished gentleman, to the memory of Mr. Jones. The orator had been recording the

deaths of associates of the society during the past year. "The other, (David S. Jones,) a chivalrous and polished gentleman, a kind-hearted and devoted friend, and a skilful practitioner in the more private and confidential, though not less arduous and responsible, branches of the law."

From early manhood, Mr. Jones was a churchman and a federalist; though, at one period, so infrequent in his attendance at church, that Bishop Hobart, who admired him extremely, was accustomed to speak of him, for his zeal and liberality, as a pillar of the Church, but an *outside* pillar. When at his country seat on Long Island, however, his attendance was more constant, and he was generally seen every Sunday morning, in his pew in St. George's Church; the Rev. Dr. Carmichael, Hempstead, then rector. For many years (from 1821–29 inclusive, with the exception of the year 1822) he was a lay delegate from St. Mark's Church, New-York,

to the Diocesan Convention. He was a trustee of the General Theological Seminary from its final establishment in New-York in 1822.

At the time of his decease he was senior warden of St. Saviour's Church at Maspeth, L. I., which church he contributed greatly to establish.

In politics, too, though he took a decided stand, he was anything but a politician, in the common sense, for he always preferred any sacrifice of ordinary advantages, rather than resign his personal independence. Once only, we believe, he, in common with others of the same political faith, voted for the democratic candidate for President. If we do not mistake, he voted for General Jackson, impressed as he was by the force and energy of his personal character, which he could not but admire.

Mr. Jones held few public offices—but we shall mention that in 1812-13 he was appointed Corporation Attorney, an office then,

perhaps, of greater labor and responsibility than at present. About this time, or a little earlier, probably in 1806, during the first professional visit of the artist to New York, his portrait was painted by Sully, one of his earliest pictures in New-York, and a spirited head full of power. *

He was married three times — first, to Margaret Jones, of an entirely distinct family, daughter of Dr. Thomas Jones, † and grand-

* This head, considered by many as a defective likeness, the writer had intended to procure an engraving of, but desisted, in compliance with the opinion of those who knew the original, early in life, and who pronounced it unfaithful as a resemblance.

† Dr. Thomas Jones was, perhaps, more eminent as a whig than as a physician. He was a man of fortune, had married a Livingston, and afterwards confined his practice very much to his family connexions. He was a brother of Dr. John Jones of Philadelphia, of revolutionary celebrity; and both were distinguished among their contemporaries as scholars and gentlemen.—From "Reminiscenes of an Old New Yorker," number five, a series of capital papers, full

daughter of Philip Livingston, the Signer, one of whose sisters became, afterwards, the second wife of De Witt Clinton. Second, to Susan Le Roy, daughter of Herman Le Roy, of the old firm of Le Roy, Bayard & Co., whose younger sister became the second wife of Daniel Webster; and third, to Mary Clinton, eldest daughter of De Witt Clinton.

By these several marriages Mr. Jones had eighteen children, of whom nine are now living.

of character and incident, and pleasant retrospection, published in the American Mail during the months of June, July, and August, 1847.

Dr. JOHN JONES, "ever to be remembered as a physician to Washington, and the surgeon to Franklin."—Dr. J. W. Francis—Anniversary Discourse before the New-York Academy of Medicine.

Dr. Jones was one of the first Professors of Surgery in Columbia (N. Y.,) College, under the Royal Charter, 1767-1776; and also one of the Founders of the New-York Hospital. He was a medical writer of some eminence, and a prominent politician. His life has been written by Dr. Mease, Dr. J. W. Francis, in Ency. Americana, &c.

After a long and laborious professional life, (of nearly fifty years, including the years after his return to the bar,) Mr. Jones left the city of New-York, April 1836, to realize a project cherished from his youth, of passing his latest years in retirement, amid the favorite scenes of his boyhood, and on the paternal soil. He bought an extensive property, on which he built a noble mansion, and made many and judicious improvements. He called his domain Massapequa, after the Indian name of the region. But owing to disastrous circumstances, the fall of real estate, and consequent pecuniary embarrassment, he lost heavily; gave up the place, and returned to town and to the practice of his profession during the winter of 1840.

Few men have displayed equal manliness in meeting a change of fortune: at once he made an alteration in his style of living, and applied himself to business with

the diligence of a young practitioner commencing his career. Just previously he had been appointed Judge of his native county, which office he retained but one year. Subsequently he received the title of LL. D., from Alleghany College, Meadville, Pa.

In the country he occupied himself chiefly with building and laying out his grounds. He was fond of making designs, and had the eye and judgment of a good architect. These employments kept him much in the open air, and stood in place of the more customary rural occupations. The only country amusement, out of doors, he cared for, was trout fishing; a legal sport, involving an exercise of the meditative subtilty, congenial to the mind of an equity lawyer and conveyancer. "Idle time," as Sir Henry Wotton says, "not idly spent." To indulge this taste, he had formed a noble pond, almost a lake, from a small stream, the Massapequa Brook, * that ran

* Massapequa.—The name of this Brook is an obvious

through his farm. Exercise, in the common sense, Mr. Jones never took. At no period of his life a pedestrian, and though fond of horses in earlier years, yet latterly comparatively indifferent about either riding or driving.

In his house the apostolic injunction of hospitality was now, as ever, fully carried

memorial of the Massapequa Tribe, who formerly occupied this territory. It is said that the import of this name has been recently ascertained, and is supposed to have originated from the exclamation of some child of the forest, who after slaking his thirst in the purling stream, arose from his hands and knees, with this expression—"MASSAPEQUA; *I have drank enough, and more than enough.*"—*Prime's History of Long Island.*

The Massapequa, or Marsapeague Tribe, had their principal settlement at the place called Fort Neck; and from thence eastward to the bounds of Islip, and north to the middle of the Island; being the usual boundary of all the tribes by a kind of common consent. The only remarkable battle between the whites and Indians was fought with this tribe, when their fort was taken and demolished by a force under the command of Captain John Underhill, about the year 1653.—*Thompson.*

out. He always loved to see a house and table full of guests, whom he well knew how to entertain.

For the south side of Long Island, as his birth-place and the seat of his ancestors for several generations, he cherished from boyhood a peculiar predilection. Strangers generally find it uninteresting: it is remarkably level, and lacks variety: being near the sea, it has few trees, and is altogether unpicturesque. But it had its distinctive charms for Mr. Jones. He greatly preferred a champaign to a hilly country, in all probability from early association, and partly, no doubt, from the character of his mind, which was comprehensive and liberal. A pleasing sense of solitude and remoteness from the bustle of the city, "the busy hum of men;" the bracing salt air, delightfully cool in summer, and invigorating at all seasons; the admirable roads; to say nothing of the warm hospitality of the family connexions, and a common local interest in

the place; rendered it an agreeable residence for several years.

The last four or five years of Mr. Jones's life were divided between his town residence and his country seat at Maspeth, (the former seat of De Witt Clinton.) It is a charming spot, cool and sequestered, overshadowed by noble trees, and situated in the midst of a pleasant country. Mr. Jones employed himself here as at his former place, Massapequa, though upon a very much smaller scale. One of his very latest wishes was to visit this place, and he confidently expected to become well enough to go there for the summer, only a day or two before his death; while, indeed, he was dying.

He died Wednesday, May 10, 1848, in his 71st year, at his residence, 77 Fifteenth-street, after a very brief illness. He had been at his office on the previous Saturday, but looking miserably, and, as he confessed, feeling far from well. Yet neither his family nor him-

self had the least conception of the nearness of his death. A violent cold, giving rise to a peculiar affection of the throat and lungs, (Typhoid pneumonia, according to Dr. J. W. Francis, and fatal in three days,) acting upon an exhausted frame, was the proximate cause of his decease. Anxiety of mind, in relation to business concerns, in particular, had a large share in hastening the progress of his disease, which was fearfully rapid.

During his illness he uttered not a complaint: having little or no faith in medicine, he occupied his mind with matters of serious import and reflection; though, up to within a few hours only of his departure, he had no idea of its extreme closeness. He suffered comparatively little (to all appearance) in body, except from extreme debility, and his mind was unclouded and clear to the last. His death was without ostentation, though marked by an unaffected dignity.

"And which is best and happiest yet, all this,
With God not parted from him,
But favoring and assisting to the end.
Nothing is here for tears, nothing to wail,
Or knock the breast; no weakness, no contempt,
Dispraise or blame—nothing but well and fair,
And what may quiet us, in a death so noble."

He was happy in the circumstances of his death: it came with comparative suddenness. But when is death other than sudden, however long expected? It almost always gives a shock. This mode of death he had always desired, and used to say that he could not join heartily in that petition of the Litany against "sudden death." The noble passages of Shakspeare against fear of death were among his favorite quotations. (Julius Cæsar, act iii., scene 2nd, and Measure for Measure, act iii., scene 1st.) He would die, if Heaven pleased, with no long illness preceding; not enfeebled by age and misery; in full vigor of mind; with manly decorum. The infirmities of age he dreaded, and never lived to experi-

ence. Death-bed repentance with the wisest and best he justly held to be doubtful and tardy; that a man would be judged by the general tenor of his life and conduct: and that when it came to the last, we were in the merciful hands of our Almighty Father, on whose providence we might safely rely, if seriously repentant. He thus died, himself realising the motto of the Jones family—"Trust in God."

Premature burial alone he ever expressed a natural horror of; and his request, stated repeatedly for years previous, that his body should be kept for three full days and three nights, was observed beyond the letter. He expired Wednesday, May 10, seven A.M., and was buried the succeeding Saturday, five P.M.

His funeral was "an old New-York funeral," as some one remarked at the time, and attended by the best portion of the bar. The pall bearers were—Professor Clement C. Moore, LL.D., Hon. John L. Lawrence, Hon.

John Duer, Hon. David B. Ogden, Hon. Philip Hone, Hon. John A. King, General Edward W. Laight, and Beverly Robinson, Esq.

The full funeral services were performed by Rev. Drs. Seabury and Wainwright, and Rev. Messrs. Southard and Walsh, in St. Mark's Church. His body was deposited in the family vault in the churchyard.

After the admirable characters drawn of Mr. Jones, and which appeared shortly after his decease, it would seem almost a work of supererogation to attempt any thing further of the same kind. This the present writer has no thought of doing; but even so slight a sketch as the foregoing appears to demand a few words in addition, to be derived from personal reminiscence.

To preserve the truth of portraiture, it is but just to display the different qualities of the same character; and, to obviate the censure of those who may consider concealment of even venial faults to be equally a defect

with over-praise, we do not hesitate to speak of the defects of his character.

Vices he had none; of meanness he was utterly incapable; but he had his weaknesses, and a portion of those failings, some (more or less) of which fall to the lot of every human being. In temper Mr. Jones was quick and irritable, the effect of temperament, and the accompaniment of a generous and impulsive character; but malice or illiberality found no place in his heart. Though choleric and hasty, he was prompt to atone for the least error of speech or act; and sought to repair the ill effect, even of unconscious prejudice. Self-consideration he appeared sometimes to carry to excess; but his frank, genial egotism could offend none who knew his genuine merit. Like most cordial men, he often talked freely of his affairs and opinions, and seemed to lay too much stress upon them; but his vanity never exposed him to assumption of undue importance. He occupied no position the

duties of which he did not exactly fulfil. He rated himself justly; though he could not but feel an instinctive superiority within himself over the majority of mankind.

He was proud, and with good reason, of his family, his profession, his standing in it and in society, and of his chosen friends. Content with the esteem and affection of these, he cared little for popular applause, (much as he was gratified by the just and cordial approbation of the wise and the good,) and was perhaps a little careless in expressing his low estimate of it. Hence, he passed with many for a proud and haughty man. That he was, in truth, very far removed from this character, we may appeal to the best witnesses, the friends of his youth, the friends of his manhood and of his latest years. Of the features of his character, on which they have expatiated, and with so much sincerity and warmth, and generous devotion to his memory, we shall not attempt to draw a sketch; only

adding our personal testimony to the perfect genuineness of the picture, painted in such lively and lasting colors.

Mr. Jones was eminently a lover of home, its quiet and comforts. Except, however, at dinner, he saw little of his family, as most of his time was spent in his study, (this was more especially the case before he left town, in 1836, for Long Island,) hard at work, often protracting his labors until late in the night. His habit was to sit at least an hour at dinner, at which he loved to indulge in conversation. He talked much and well, with readiness, spirit, and variety of resources. His table was a school for his children, where he sought not only to teach the minute decencies of etiquette, but took occasion to impress principles and lessons of manly duty and generous conduct, which he illustrated in his own life.

As a host he was unrivalled. Few men could so skilfully harmonize the sometimes discordant materials of a large formal dinner.

He knew the proper place of every guest, and gave him that attention and courtesy which was his due.

But his dinners, professional or general, were so managed as seldom to require tact of this kind; and without effort, at the head of his table, among chosen friends, he was gay, friendly, and sincere.

All the minor accomplishments of an accomplished gentleman were possessed by him, and served to fill up the intervals of repose or recreation from business.

The dependents of his bounty never felt the weight of obligation from his ungraciousness or assumption. In giving aid or counsel, generosity of spirit, and considerate manner always accompanied a generous act.

He was beloved by his personal attendants, with whom, without art, and in spite of occasional defects of temper, he, in almost every case, became an object of admiration as well as of gratitude.

The personal appearance of Mr. Jones was commanding, emphatically that of a gentleman. His head was cast in a classic mould, and his features finely cut. His eye was remarkable for intelligence and expressiveness; it combined sweetness with spirit, and reflected every emotion of his soul. His figure was above the ordinary height, and so formed that all the movements of it were graceful without design. His carriage was stately, his manners dignified, and his presence noble.

His voice was uncommonly clear, deep, and sonorous, well adapted to grave oratory, and had not his legal genius taken a different bent, and the important trusts confided to him, engrossed his attention, he might have attained the first rank of forensic reputation. As it was, he was an impressive speaker, especially in the Court of Chancery, or before the Bench of the higher Courts.

His reading was eminently fine, spirited,

and impressive, (lacking, perhaps, a little in flexibility of tone,) especially in the Bible and Shakespeare; the pointed couplets of Dryden and Pope, he gave with effect. In ordinary conversation, the tones of his voice were varied and musical.

Mr. Jones was thoroughly well read in Shakespeare and the English poets, from Dryden down, and, in a word, he had that acquaintance with classical and modern literature, with history and the topics of general good conversation, possessed by well educated gentlemen of his own standing. In the current literature of the day, except in the very lightest works of amusement, he took little interest. And the very modern poetry had little attractions for him. His reading lay more peculiarly among the Augustan writers of Anne and George III. For purely Belles-lettres studies, since early manhood, he had not found time; and except for a few masterly writers, hardly retained a predilection.

His opinions on moral, political, social, and religious questions were invariably sound and just. He took up no idea or theory hastily; had no crude fancies. His mind was eminently practical and clear. No man of his class and rank, spoke or wrote with less irrelevancy or with less of point and directness. His letters were altogether occupied with business: (Mr. Jones had no taste for original composition; he had travelled little; only on occasions of business, and on the fashionable excursions of summer tourists,) and he preferred talking upon politics and about books and individuals, to writing on either of those subjects. Hence the material of his correspondence is wanting in general interest. The style of his letters was brief, pointed, and direct. He was peculiarly direct and perspicuous in his law papers, also: which were models of their kind. In his case, chirography served as a true test of character, and which was marked by decision and strength.

We do not know that we can better conclude this brief sketch than by quoting the following admirable portraiture of Mr. Jones in his judicial character, from the pen of A. J. Spooner, Esq., well known both at the New-York and Long Island Bars, and also, in his connexion with the Brooklyn Star, for courtesy, intelligence, and genuine worth :—

"In his character as judge he had one merit, which is always a leading qualification—decision. He invariably decided every thing submitted to him while the matter was freshly in mind; and I do not recollect an instance where for any reason he kept hope deferred, or delayed to pronounce a judgment for fear of offence. His mind was eager, his attention close, his conclusions rapid, and promptly uttered, with the reasons which enforced them. I have no recollection of any judgments of his which were found to be erroneous on review. I had the opinion—and this, I know, was entertained by several of

the Bar of Queens—that his former exclusive devotion to chancery practice had left him more limited in the ready knowledge of the common law and its practice than would otherwise have been the case. A strong leaning towards equity would always manifest itself; though, when the rule of law was rendered clear by authority, he was ready to admit and adopt it. Had he lived in the day of the present reformed practice of the courts, his attainments upon the Bench would have found wider scope, and been generally acknowledged.

"One thing is certain. On the County Bench, no sinister influence dared approach Judge Jones. I believe his integrity to have been perfectly crystalline, and it gave him the confidence of the Bar and of the county.

"There was, it is true, a seeming imperiousness and self-will about Judge Jones. It was difficult for him to submit his judgment to that of the lay members of the Bench, in

a very few cases where they overruled him. He did not hesitate, however, to pronounce their judgment courteously, while he expressed his own dissent, and his self-love soon relaxed into the most cordial kindness and good will.

"He was most careful to enforce and preserve all the decencies and proprieties of a court of justice. He was rigorous in exacting of grand jurors and others a strict attention to their duties. He evidently desired fully and conscientiously to do his duty; and I do not know that in his brief judicial career he was ever charged with, or suspected of, sacrificing the public business to his own private affairs, or an inclination to consult his own ease."

OBITUARY NOTICES.

OBITUARY NOTICES.

From *Courier and Inquirer*, (C. King, Esq.) May 11th, 1848.

In announcing the decease of David S. Jones, we are called upon to-day to record the death of an old and valued friend, of an able and upright lawyer, of a zealous and spirited citizen, of a man of honor, and a gentleman, in all the best acceptations of these words. Mr. Jones was so widely known as to render any general notice of his career superfluous. Identified with this city from his earliest youth, taking a deep interest in its prosperity and improvement, and himself largely interested therein, he has witnessed, and contributed not a little to its growth, from a village to a metropolis.

As a lawyer, and especially in the preparation of legal instruments, upon the accuracy and fidelity of which the rights of property so largely repose, Mr. Jones was of approved skill, caution, and regularity, and he was consequently widely consulted and employed. In the higher departments, too, of the profession, as advocate and counsel, his practice was large; and in the discharge of his duties as a lawyer, not less than in the daily intercourse of life, he was guided invariably by the same high principles. He stooped to no unworthy or questionable practices, and was as incapable of trick as of treachery. A man of sound understanding, of strong attachments, of most liberal and generous conduct, of frankness and manly speech, of approved integrity, and acting always under a lofty and conscientious sense of duty to God and to man, he has left behind him on earth not one of whom, more truly than himself, can be said, *there was a* MAN.

From *Commercial Advertiser*, May 13, 1847.

"The late David S. Jones.—At a meeting of the Bar of the city of New-York, called for the purpose of testifying their respect for the memory of their deceased friend and brother, David S. Jones—whose funeral is to be attended to-day—David B. Ogden, Esq., was called to the chair; George Griffin, George Wood, Beverly Robinson, and David Codwise, Esqs., were appointed vice-presidents; and Francis B. Cutting, J. Prescott Hall, and James Lorimer Graham, Esqs., secretaries.

Mr. Duer,* from the committee appointed at a previous meeting of the Bar for that purpose, reported the resolutions that follow, which he introduced with some appropriate remarks in relation to the professional and personal character of the deceased.

He spoke, in substance, as follows:

* Hon. John Duer, at present one of the Judges of the Superior Court of this city.

We have lost, Mr. Chairman, one of the oldest and most valued of our personal friends, and the Bar one of its most esteemed and honorable members—David S. Jones. We are now assembled to testify our respect to his memory, and for that purpose I have been instructed to offer a series of resolutions, that I doubt not will be found to express the sentiments of all who are present. Before the resolutions are read, however, there are a very few words that I wish to say. I do not mean to offer a formal eulogy on our deceased friend, but there is a tribute of praise to which he is most justly entitled, and which, as one of the oldest of his friends, I feel it my duty to render. I shall not dwell upon his professional merits and attainments, but I am sure that all to whom he was as well known as to you and to myself, will bear me out in saying, that as an equity lawyer, and a real-property lawyer, he had few superiors in our profession.

"There was none to whom the difficult

and responsible task of drawing a complex will, or an intricate marriage or family settlement, could be more safely entrusted. There was no man more cautious and vigilant in watching over the interests of his clients; none who had a deeper sense of the responsibility which the relation of lawyer and client creates; none who was more conscientious, more arduous, or more faithful in discharging the duties which the relation imposes. But it was chiefly of his personal qualities that I meant to speak, and, if I mistake not, there is a single word, that, properly and fully understood, will be found to express his character —the character that all admitted him to possess, and which, throughout his life, and under all circumstances, he uniformly sustained.

"David S. Jones was emphatically a gentleman. He was so in the truest and fullest sense of the term. I mean that he was not merely a man of polished manners, attentive to the best forms and observances of society,

but that his feelings were pure and lofty, his sentiments refined and elevated—I mean that he was a man of a delicate sense of honor, of stainless integrity and perfect truth. Nor was this all: he was a man of warm and generous affections—of strong and enduring attachments—exemplary in all the private relations of life, and to those who possessed his esteem and confidence, a steady, zealous, devoted friend. Nor was he merely a sunshine friend. In the hour of trial and difficulty, and the day of adversity, he shrank from no personal sacrifices that the claims and duties of friendship seemed to demand. In short, Mr. Chairman, we have lost a man whose character and virtues rendered him an ornament to society, and an honor to our profession; and we should be forgetful of our duties, and recreant to our honor, if we failed to render a suitable tribute of respect to his memory. It is with this conviction that I offer the following resolutions, and move their adoption:—

The resolutions were then read, and being duly seconded, were unanimously adopted :

Resolved, That the members of the Bar of the city of New-York have heard with deep regret of the sudden and unexpected decease of their respected friend and brother, David S. Jones, who has for many years held a distinguished rank in the profession, and an elevated position in society, for his high-toned integrity, his generosity and benevolence, and the possession of all those qualities and attributes that constitute the character of a gentleman.

Resolved, That the members of the Bar deeply sympathise with the family of the deceased in their bereavement, and wear the usual badge of mourning for the ensuing month.

Resolved, That these proceedings be published, and a copy of the resolutions, signed by the presiding officers, be transmitted to the family of the deceased."

From *The Churchman*, (Rev. Dr. Seabury,)
May 20, 1848.

"It becomes our painful duty to record the death of the Hon. David S. Jones, who expired, at his residence in this city, on Wednesday, May 10th, in the 71st year of his age.

Mr. Jones was a man of strongly marked character, of noble and generous sympathies, of high sense of honor, vigorous intellect, and inflexible integrity. A son of the Hon. Samuel Jones, "the father of the New-York Bar," inheriting many of his father's traits of character, and trained under his eye to the legal profession, he formed in early life those habits of discrimination and research, of accuracy and promptitude in business, which paved the way to his professional eminence. Before the age of twenty-one, he was appointed by Gov. Jay, his private secretary, a delicate and responsible office, which Mr. Jay had himself filled in the eventful period of the Revolution. In this situation, Mr. Jones was brought into

intercourse with some of the most distinguished men of the day, and laid the foundation of intimacies and friendships which were afterward the pride and solace of his life, and were continued with unabated warmth until they were interrupted by death.

But, though favored by his early advantages and associations, Mr. Jones did not rely on them to build up for himself a factitious reputation; but, devoting himself to his professional pursuits with indomitable energy and untiring industry, he fairly earned the sterling reputation which he enjoyed. During the fifty years that he was at the Bar, he never failed a day to be at his office, except on days which religion has consecrated to higher purposes, or on which he was detained at home by a death in his family. As a natural consequence, he became eminent in that department of law to which his attention was chiefly directed: the soundness of his legal opinions, the dispatch and promptitude, the accuracy, and fidelity of

his business habits, combined with his lofty integrity, gave him a distinguished position in society, and rendered his profession a source of emolument and honor.

In ecclesiastical affairs, Mr. Jones took an active and conspicious part, and enjoyed the full confidence of the late Bishop Hobart, as well as of the present Bishop of this Diocese, for his sound, orderly, and conservative views. For many years he was a lay delegate from St. Mark's Church, in this city, to the Diocesan Convention. He was a trustee of the General Theological Seminary, from its final establishment in this city in 1822, and until his removal from the city, a few years since, one of its Standing Committee. At the time of his decease, he was Senior Warden of St. Saviour's Church, Maspeth, having been chosen to that office, at the organization of the parish, last year. He was also, for the last twenty years of his life, one of the most faithful and efficient members of the Board

of Trustees of Columbia College, of which institution, he was an Alumnus. In all these appointments, he was remarkable for his regularity, punctuality, and diligence, in the discharge of the duties which they devolved on him. Those who have been associated with him in the conduct of these institutions, or who have had occasion to confer with him confidentially on their affairs, will bear witness to the penetration and solidity of his judgment, and to the inflexible honesty of purpose which determined him to the pursuit of their true interests, even when they came (as they sometimes did) in collision with his cherished personal predilections, or the solicitations of friends.

Like most men of strong natural feelings, Mr. Jones acted much from impulse; but his impulses were not capricious; they neither interfered with the steadiness of his friendship, nor warped his convictions of truth and equity. They were the impulses of a gener-

ous mind recoiling from disguise and deception: of one—

> Whose tongue and heart did not turn backs; but went
> One way, and kept one course with what he meant.
> Who used no mask at all, but ever ware
> His honest inclination open-faced;

and whose sympathies freely flowed forth in behalf of every meet object that appealed to his benevolence and humanity. His generosity was remarkable: when applied to by the Bishop of the Diocese, for the furtherance of a good object, he has been known to send a blank check with his signature, to be filled up with any amount which the applicant chose to insert; and when obliged, in his latter years, to retrench his expenses, he has been often known to say that the Church, and its institutions, should be the last object from which his benefactions should be withdrawn.

Mr. Jones's health was such, as to allow him to attend to his usual professional duties

until a few days before his death. He retained the full possession of his mental faculties to the last; he was perfectly conscious of his situation; received, at his own request, the Holy Communion; and met his death with composure, resignation, and christian faith.

Since the above was written, the following appropriate resolutions have been sent us for publication.

At a meeting of St. Saviour's Church, Maspeth, L. I., convened on the 15th day of May, 1848, the following Preamble and Resolutions were unanimously adopted:

Whereas, it hath pleased Almighty God in his wise Providence to remove from our midst our late respected Senior Warden;

Resolved, That in the death of our late Senior Warden, David S. Jones, the members of this Vestry mourn the loss of a sincere Christian, a warm friend, a kind neighbor, and an estimable and upright man.

Resolved, That the eminent virtues of Mr. Jones, his integrity, liberality, and truthfulness, and above all, the zeal, disinterestedness, and energy, manifested in his efforts, happily successful, to establish the Church in our neighborhood, claimed our admiration and respect while he was living, and endear to us his memory now that he is taken from us.

Resolved, That we tender our kindest sympathies to the bereaved widow and family of our departed friend, in their deep affliction.

Resolved, That a copy of these resolutions, signed by the Rector and Clerk, be transmitted to the widow and family of Mr. Jones.

A copy.

James Maurice, *Clerk of the Vestry.*

The Rev. Mr. Walsh, in the very first sermon preached on the completion of (St. Saviour's) the Maspeth parish church, on the Sunday but one immediately succeeding Mr. Jones's death, paid the following heartfelt and sincere tribute to the memory of the deceased. The reference occurred in a sermon, the text of which was the 7th verse of the 56th chapter of the Book of the Prophecies of Isaiah.

"But while we have every reason to be thankful to our heavenly Father, who has so far blessed and prospered our undertaking, yet there is one circumstance which is justly calculated to sadden our joy, and to lessen the satisfaction we cannot but feel, in celebrating our first services in this church. You doubtless anticipate me, in referring to the loss of our senior warden, Mr. David S. Jones, who, if not now 'absent from the body,' would, in all probability, have joined with us in the services of this day; but who, removed from us by a few days' illness, is, we trust, 'present with the Lord.'

"It is not my intention, in referring to our departed friend, to speak of his character, either as regards his public or social life. Those tributes of respect have already been paid to his memory; and all of you were sufficiently acquainted with him to appreciate his excellence and worth in these relations. I cannot, however, but refer to his character as a member of the Church, and as an officer of our parish. Born and educated in the Church, Mr. Jones had been, from early life, a devoted friend to its interests. He became, in maturer years, the friend and counsellor of the late Bishop Hobart, and, up to the time of his decease, was an efficient member of various Church institutions. His endeavors to do good were warmly manifested in his generous responses to all meet appeals to his benevolence. He was indeed noble in his liberality. During the past year, I incidentally learned from his own lips, that it was his custom, even in the time of his greatest pros-

perity, to set aside nearly a tenth of his income for charitable and religious uses; and I have also heard, from a clergyman, of whose parish he was formerly a member, that he had expressed to him the opinion "that it was too often the case that Christians, in the day of adversity, retrenched their offerings for the poor and for the Church, rather than their personal expenses; that the contrary should be the rule; and, for his own part, his gifts to the Church should be the last item on the list of his expenditure which should be reduced.' It was therefore a matter of principle with him to do good to all men, and especially unto them that are of the household of faith; and the manner in which he acted upon it was a plain mark of the sincerity and conscientiousness which stamped his Christian character. As an officer of our parish, Mr. Jones manifested, from its organization, by his exertions as well as his counsel, the liveliest interest in its prosperity. All who have been associated

with him can bear witness to the fidelity and punctuality with which he met all his engagements, and to the zeal and energy with which he interested his personal friends in contributing to the erection of this edifice. His great desire, often expressed within the last few months to many of us, was to be allowed to witness its completion, and to assemble with us on this occasion.

"But it has pleased God in His wisdom to order events otherwise; and we now mourn the loss of one who was a devoted friend to the welfare and prosperity of our parish.

"His closing hours were befitting the Christian. He yielded with resignation to the will of God, trusting to realize, through the merits of our Saviour's atoning blood, the blessed hope of everlasting life.

"While our loss, therefore, casts a shade over our present joy, it should also admonish us to renewed exertion and to greater devotion in the Christian life. Our life is but short:

eternity is long. May we so strive for those true joys which are to be found at God's right hand, that, when summoned to leave this world, we may with joy and hope enter upon the eternal."

APPENDIX.

NOTICES

OF THE

JONES FAMILY, OF QUEEN'S COUNTY.

APPENDIX.

Memoir of Hon. Samuel Jones, from Thompson's History of Long Island.

Hon. Samuel Jones.*—The first American ancestor of this gentleman was Major Thomas Jones, who emigrated from Ireland to Rhode Island in 1692, and married Freelove, daughter of Thomas Townsend, from whom, in 1696, they received a large and valuable tract of land on Long Island, called "*Fort*

* The memoir by Mr. Thompson is retained, in preference to an original notice drawn up by a most competent hand, in which certain points were omitted which Mr. Thompson had included; and, indeed, after examining all the family records we could procure, and aided by the best lights, we do not see how, so far as exactness and perspicuity is concerned, it could be improved. Mr. Thompson had a peculiar turn for such researches, and had sifted his materials pretty thoroughly: he has left us little to glean. It is true, he has mingled tradition and history; but it is, in some cases, difficult to separate them; and he has invariably stated where he relies purely upon the former.

Neck."† Here Mr. Jones erected a dwelling, which stood 140 years, and was known to travellers as the "*old brick house.*"

† The most interesting portion of this part of the town is that known by the name of *Fort Neck*, so called on account of two old Indian forts, the remains of which are still very conspicuous. One of these is situated on the most southerly point of land adjoining the salt meadow, and is nearly, if not exactly, a square, being about thirty yards on each side. The breast-work or parapet is of earth, and there is a ditch or moat on the outside, which appears to have been about six feet wide. The other fort was on the southernmost point of the salt meadow adjoining the bay, and consisted of palisadoes set in the meadow. The tide has worn away the meadow where the fort stood, and the place is now a part of the bay, and covered with water. In the bay, between the meadow and the beach, are two islands, called *Squaw Islands;* and the uniform tradition of the Indians was, that the forts were erected by their ancestors, a great while ago, for defence against their enemies; and that upon their approach, the women and children were sent to these islands, which occasioned them to be so called. The first and most substantial dwelling erected here by the white people was the *old brick house*, said to have been built by Major Thomas Jones in 1695. It was doubtless considered a more than ordinary specimen of architecture in that day, and finished in a superior style. Many improbable fictions in relation to the owner of the mansion have been preserved, and more strange, not to say marvellous legends, have been cherished and circulated in regard to the edifice itself, which ignorance and superstition have not failed to magnify, and sufficient to fill the lonely and benighted tra-

Of the many traditions in relation to this extraordinary personage, very little can be relied upon. That he was in some way connected with the bucaneers of that period is not improbable, for he had

veller with fear and anxiety. A correspondent of the New-York Mirror, (now known to be the late ingenious William P. Hawes, Esq.) a few years since, speaking of the *brick house*, says: "This venerable edifice is still standing, though much dilapidated, and is an object of awe to all the people in the neighborhood. The traveller cannot fail to be struck with its reverend and crumbling ruins, as his eye first falls upon it from the turnpike; and if he has heard the story, he will experience a chilly sensation, and draw a hard breath while he looks at the circular sashless window in the gable end. That window has been left open ever since the old man's death. His sons and grandsons used to try all manner of means in their power to close it up. They put in sashes, and they boarded it up, and they bricked it up; but all would not do: so soon as night came, their work would be destroyed, and strange sights would be seen, and awful voices heard." This curious and venerable relic of bye-gone ages stood for a period of more than one hundred and forty years, unscathed, except by the hand of time; and until 1837, when it was removed to make way for the extensive improvements of David S. Jones, Esq., near which he has erected one of the most costly and magnificent mansions in the state. The appendages to this splendid establishment are in keeping with the principal edifice, and do credit to the liberality and taste of their opulent proprietor.—*Thompson's History of Long Island. Town of Oyster-Bay.*

been a soldier at the famous battle of the Boyne, fought between the English under William III., and the Irish under James II., in 1690; and as an acknowledgment for services rendered by him, he received from his royal master a commission to cruise against Spanish property, which, in all probability, he made a liberal use of, and thereby accumulated considerable wealth. Some trophies of his enterprises are still preserved among his descendants. He entered largely into the commerce of that day, the taking of whales along shore, which gave much employment to the Indians, who were very expert in that business. In 1704 he was commissioned by Lord Cornbury, sheriff of Queens county, and in 1710 was appointed ranger general for the island of Nassau.

He died in 1713, and, agreeably to his own desire, was interred near the creek, at the bottom of the upland, on his own farm, and not far from one of the old Indian forts. The inscription at his grave, written by himself, is as follows:

"From distant lands, to this wild waste he came,
This seat he choose, and here he fixed his name.
Long may his sons this peaceful spot enjoy,
And no ill fate their offspring e'er annoy."

His widow after his death intermarried with Ma-

jor Timothy Bagley, a retired British officer, and died in July, 1726. Major Jones left issue David, Thomas, William, Margaret, Sarah, Elizabeth, and Freelove. Of these, Thomas was drowned in the Sound unmarried; Margaret married Ezekiel Smith; Sarah married Gerardus Clowes; Elizabeth married Jeremiah Mitchell; and Freelove married Thomas Smith.

David Jones, eldest son, was born Sept. 1699, and to him was devised, in tail, most of the paternal estate. Being educated for a lawyer, and possessed of a powerful intellect, he became greatly distinguished in his profession, and was esteemed a man of very superior juridical attainments. In 1737, he was chosen to the provincial assembly, and was continued in that body till 1758. For thirteen years he filled the office of speaker, and had the firmness on one occasion to close the doors of the assembly against the governor, until a bill then under discussion could be passed, and which his excellency intended to defeat by prorogation. He married Anne, daughter of Col. William Willett, by whom he had issue Thomas, David, William, Arrabella, Mary, and Anne. She died January 31, 1751. His second wife was Mary, widow of John Tredwell, by whom he had no children.

In 1758, he was appointed a judge of the supreme court of the colony, which he held till 1773. His death occurred October 11, 1775. During his whole life, and in every situation, he proved the unyielding advocate of the rights of the people, and few men ever shared more largely in the public confidence and respect.

By suffering a *common recovery,* his life estate was converted into a fee, which he devised to his eldest son Thomas for life, with remainder, on failure of issue, to the testator's eldest daughter Arrabella, and her issue in tail. The said Thomas Jones (commonly called Judge Jones) was admitted to the bar in 1755, and in 1757 was appointed clerk of Queens county, which he held till 1775. He was made recorder of New-York in 1769, which he retained four years, and was succeeded, a few years after, by his nephew, the subject of this notice. His wife was Anne, daughter of Chief Justice De Lancey. The stately mansion now occupied by General Thomas Floyd Jones, was completed by Judge Jones a short time before the Revolutionary war. He was appointed a judge of the supreme court, which office he held during the war by royal commission, which probably led to the confiscation of his estate, and his own expatriation.

He went to England, where he remained till his death, many years after. His brother David was a lieutenant of horse in the British service, and died at Fort Frontenac in 1758. His sister Mary married her cousin Thomas Jones, son of her uncle William, and Anne, her sister, became the wife of John Gale, of Orange county. William Jones, third son of Major Thomas Jones, born April 25, 1708, married Phebe, daughter of Colonel John Jackson, by whom he had sixteen children, fourteen of whom lived to have families; David, Samuel, William, Thomas, Gilbert, John, Walter, Richard, Hallet, Freelove, (married Benjamin Birdsall,) Elizabeth, (married Jacob Conkling,) Margaret, (married Townsend Hewlert,) Phebe, (married Benjamin Rowland,) and Sarah, (married John Willis,) all of whom left issue, which are now very numerous.

Mr. Jones was a highly respectable and intelligent farmer, and resided at West Neck, where his grandson, Thomas Jones, now lives. His death took place August 29, 1779, and that of his widow May 10, 1800.

Samuel Jones, the subject of this notice, was the second son of the above named William, and was born July 26, 1734. His education was quite limited; and while young, he chose the occupation of a sailor,

in which capacity he made several voyages to Europe in the merchant service. He was ultimately deterred from prosecuting the business further by the impressions made upon his imagination in a dream, in which he fancied the loss of the vessel in which he was about to embark upon another voyage. He was next placed in the office of William Smith, the historian, an eminent lawyer of New-York, subsequently chief justice, and whose son was afterwards a judge in Canada. Mr. Jones was in due time admitted to the bar, and in a surprisingly short period found himself surrounded by friends and honored with an extensive and lucrative practice. For his exemplary industry, high attainments, and great purity of character, he presented a model for the imitation of all who aimed at distinction in jurisprudence. His office was sought by students, and, besides the late De Witt Clinton, he instructed many who afterwards rose to much distinction. At the dawn of the Revolutionary contest, he was called into the public councils, and continued to fill important and responsible offices till age admonished him to retire to private life. He spent the remainder of his days upon his farm at West Neck, indulging his taste for reading and observation, the fruits of which was communicated to the world

through the medium of the press. Such was the estimation in which he was held by the legal profession, that his opinions were generally acquiesced in for their accuracy and justice. He was often in the assembly; and in 1778 was a member of the convention that adopted the constitution of the United States, of which body his intimate friend, George Clinton, was president. It is well known that much contrariety of opinion prevailed in that body, and that the result was a matter of expediency and compromise among the members. He drew most of the amendments proposed, and which were subsequently adopted as a part of that instrument. He was, in short, indefatigable in every situation; and nothing was ever permitted to interrupt the performance of any public duty. In 1789, he was associated with the late Richard Varick in revising the statutes of this state, which was executed principally by Mr. Jones, with uncommon accuracy and expedition. He was the same year appointed recorder of New-York, the duties of which were discharged with ability and integrity, till he was succeeded, in 1797, by the Hon. James Kent. In 1796, he was requested by Governor Jay to draft a law for establishing and regulating the office of comptroller, to which he was

appointed, and which he retained for several years. "I rely," says the late Dr. Hosack, "on the testimony of others, when I speak of the legal talents of the late Samuel Jones: common consent has indeed assigned him the highest attainments in jurisprudence, and the appellation of the *father of the New-York bar.* He justly ranked among the most profound and enlightened jurists of this or any other country, and acted a useful and conspicuous part in organizing our courts and judiciary system after the Revolution. He was a liberal and enlightened whig, and advocated the cause of Independence with zeal and success." "No one," says Chancellor Kent, "surpassed him in clearness of intellect, and in moderation and extreme simplicity of character; no one equalled him in his accurate knowledge of the technical rules and doctrines of real property, and in familiarity with the skilful and elaborate, but now obsolete and mysterious, black-letter learning of the common law."

He was distinguished for coolness, candor, and deliberation in debate, and sought the substantial rather than the showy part of an orator. He was twice married—first, to Ellen, daughter of Cornelius Turk, who died soon after; and second, to Cornelia, daughter of Elbert Herring, Esq., of New-York, by

whom he had issue Samuel, William, Elbert H., Thomas, and David S. Jones.* He died November 21, 1819, and his widow July 29, 1821.

* The first (William) and seventh (Walter) sons, died in infancy.

Of the Brothers of Hon. Samuel Jones.

In the descendants of Samuel Jones the elder we are, of course, more particularly interested; but we should by no means omit to mention, in connexion with his name, those of his brothers, whose descendants have kept alive a strong family feeling, and have, in different walks, sustained the name and reputation of the family: the remaining sons of William Jones, senior, who alone of his three brothers left issue, and who is therefore to be regarded as the head of that branch of the Jones family, whose history we are tracing. Thomas and Gilbert went to Orange county, and settled there: Richard settled near Rochester. The other brothers remained upon Long Island.

William, another of the sons of William Jones, had two sons, Townsend and Samuel, who have both died without issue. The latter, by his will in 1836, established in the town of Oyster Bay a fund called the "Jones fund, for the support of the poor," for which public trustees were appointed by an act of the legislature, passed 18th April, 1838. (Laws of 1838, p. 312.)—John, another son of William Jones,

removed to Coldspring harbour, on the north side of Long-Island, having married Hannah Hewlett, (a daughter of John Hewlett, Esq., and sister of the late Judge Divine Hewlett,) who is now living, his widow, at an advanced age. He became interested in mills and water privileges at that place, formerly possessed by his father-in-law, and, besides several daughters, left five sons, who are all now living,—William H., John H., Walter R., Joshua T., and Charles H. The three first named sons have established and conducted for many years manufactories at that place. The eldest, William H., a farmer, has assisted in the superintendence of the manufactories, and performed the duties of his situation, as a justice of the peace, and in other capacities, public and private. The second son, John H., besides attending to the manufactories, has engaged himself in various other pursuits, and has pursued, among others, that undertaken by the first founder of the family in this country—the whale fishery. He and his brother, Walter R., have been part owners, and he the active manager and agent, of eight whaling ships, fitted out from Coldspring harbour, measuring more than 3000 tons, carrying about 250 men, and costing, with their outfits, about $227,000. These, instead of confining

themselves near our coasts, from which the whales have been mostly frightened away, make longer voyages than Captain Cook did in circumnavigating the globe. Walter R. Jones, above named, the third son of John, at an early age engaged himself in an insurance office in New-York, and now, as president of the Atlantic Mutual Insurance Company, stands confessedly at the head of the underwriters of New-York. His brothers, Joshua T. and Charles H., are also engaged in various commercial pursuits. The two oldest brothers, William H. and John H., have each large families. Oliver H., one of the sons of the first, is known as president of the New-York Fire Insurance Company; and John D., one of the sons of the second, for some time secretary, has recently been appointed a vice-president of the Atlantic Mutual Insurance Company.

The sons of Walter, who also resided at Coldspring, came up to town early in life,—John J., deceased some years since, a most estimable gentleman: William Townsend, who has retired from business, and spends a large portion of the year in the pleasant village of Southampton, Suffolk county.

This will suffice to show the wide-spread branches and extent of the Jones family, descended directly

from the first settler. Neither our limits nor the scope of our subject permits a more extended notice of the collateral branches of the family.

Judge Thomas Jones.

Jones, Thomas, of New-York.—By his marriage with a daughter of Lieutenant-Governor James De Lancey, and a sister of the wife of the celebrated Sir William Draper, he became connected also with the families of Sir Peter Warren, of the British navy, and of Sir William Johnson, of New-York. At the revolutionary era, he was a judge of the Supreme Court, and, in consequence of his adherence to the royal cause, lost his estate, under the confiscation act. In 1779, in retaliation for the capture of Gen. Silliman, by Glover and others, a party of whigs determined to seize upon Judge Jones at his seat on Long-Island. Twenty-five volunteered, under the command of Captain Daniel Hawley, of Newfield, (now Bridgeport,) Connecticut. Hawley and his associates crossed the Sound on the night of Nov. 4, and reached Judge Jones's house (a distance of 52 miles) on the evening of the 6th. There was a ball, and the music and dancing prevented an alarm. The Judge was standing in his entry when the assailants opened the door, and was taken prisoner, and borne off. A party of royal soldiers was near, and Jones, in passing, *hemmed* very loud, to attract their attention. Hawley told him not to repeat the sound;

but he disobeyed, and was threatened with death, unless he desisted from further endeavors to induce the soldiers to come to his rescue.

Though six of the whigs were captured by a troop of horse, the remainder of their party carried their prisoner safely to Connecticut. The lady of General Silliman invited the Judge to breakfast, and he not only accepted of her hospitality for the morning, but continued her guest for several days. But he remained gloomy, distant, and reserved. In May, 1780, the object of his seizure was accomplished; the British commander having at that time consented to give up General Silliman and his son, in exchange for the Judge and Mr. Hewlett,—the whigs, however, throwing in, as a sort of make-weight, one Washburn, a tory, of infamous character. Judge Jones retired to England, and there passed the remainder of his life, and, as it is believed, in retirement.—*Biographical Sketches of American Loyalists, by Lorenzo Sabine, pp.* 404–5. *Boston,* 1847.*

* A fine portrait of Judge Jones (commonly called *the young Judge*, to distinguish him from his father, Judge David Jones,) is now hanging in the parlor at Fort Neck.

Some Further Particulars regarding the Jones Family, of Queens County.

"The Jones family has now furnished legislators and jurists to the colony and state more than a century."*—*J. F. Cooper, Esq., in a Letter to the Home Journal, May* 6, 1848.

The *name*† of Jones is so common, that different families and individuals bearing it are frequently,

* Beside those already mentioned in the preceding sketches, may be enumerated Samuel Jones, jun., formerly chancellor, for many years chief justice of Superior Court, and at present one of the judges of the Court of Appeals; and his brothers, Major William Jones, of Coldspring, (a member of the Assembly, 1816–1818, 1820, and 1824–29,) and Elbert Herring Jones, Esq., formerly in the Senate of the State, and delegate with Rufus King, and N. Seaman, to convention to amend constitution of the State, 1821;—Samuel W. Jones, Esq., (son of Major William Jones,) formerly surrogate of Schenectady county, mayor of the city, and, for some years past, first judge of that county;—of the Floyd Jones branch, Henry Floyd Jones, member Assembly 1829 and 30, in Senate 1836–40; David Richard Floyd Jones, his nephew, Assembly 1841–43, in Senate 1844–8, at present clerk of the Superior Court of this city; and his brother, Elbert Floyd Jones, Assembly 1845.

† The favorite family Christian names which occur in every generation, and in almost every branch of the family, are Thomas, David, William: Samuel and John are the next most frequent during the last three generations.

and sometimes unpleasantly, confounded with each other. This obliges one to use much more of particularity in speaking of the different persons that bear it than in the case of a more unusual patryonymic. Like most of the Welsh surnames, (Davids, Richards, Hughes, Williams, Edwards, &c., &c.,) it is plainly derivable directly from the Christian name. The primitive orthography, Johnes, retained by the latest (we believe) translator of Froissart, and to be found even in this city, is undoubtedly the correct mode of spelling it. It is sometimes written Johns, evidently a contraction of the former, and which, again softened, appears as one of the standard names of the Welsh race and of Englishmen at home, and their descendants in the United States and all other parts of the world. The historical personages who have given character to the name are too well and universally known to require recapitulation here.—As an evidence of the extreme commonness of the name, (which is its sole defect, for it is not liable to a pun, a circumstance Shenstone congratulated himself upon as to his own name,) we find, in a note in Cottle's Reminiscences of Coleridge and Southey, the remark of the slight diversity of the Welsh names. Thus,

in a list of subscribers to Owen's Welsh Dictionary, (which only Welshmen would take,) there are to be found of the letter J, *fourty-four* names, and *all* of them Jones.

Apropos of this subject, we may transcribe a pleasant anecdote that occurs in the letter of an accomplished legal gentleman of this city, who had himself married into the Long-Island Jones family, a branch of that highly respectable portion of it settled at Coldspring.

"Within a week past, I had occasion to read the evidence on a trial of a collision suit between an American vessel and a Welsh one, from *Caernavon*. The captain of the latter, a part owner, was John Jones, who said it would take a good while to tell the names of all *the other Joneses* who were part owners. He named half a dozen of our family name, and said the ownership was a family concern. And although the name is so common, it appeared quite probable that he was from the same old stock, without going back so far as Adam."

Family traits are as distinctly marked as national characters, and, in part, the former result from the latter. The Welsh origin of the family of Jones is evident in other respects than in the peculiarity of

the name alone. The family of Major Thos. Jones, sometimes styled the chevalier, and of whose descent from a noble Irish family, which intermarried with one from Wales, there is a tradition, is supposed (but without any certainty) to have originated in Merionethshire or Glamorganshire. However that may be, the characteristics of the Welsh race are plainly discernible in almost every member of the family, and are very marked in all of those who have become prominent in any walk of life. Almost to a man, choleric, sanguine, social, hospitable, independent, and honorable. Judgment and penetration, with remarkable memory, have distinguished the leading members of the family. A fondness for genealogies marks the elder members of the family, no less than local and personal pride, and that clannish feeling which is so prominent among the Scotch and the people of New-England.

The *extent* of the family is remarkable. The descendants, from the common ancestor to the present (seventh) generation, his lineal posterity, are to be counted by hundreds. Many of the descendants of the third generation have almost become heads of tribes. The direct descendants of the Hon. Samuel Jones the elder, grandson of the first settler, to commence

with the *third* generation, (and to confine ourselves to the descendants of but one of fourteen children, who all had families, and several of them large families,) and those of his five sons, number nearly one hundred. This fact may give some idea of the number of the descendants of Major Thomas Jones, to compile a perfect list of whom, at this late date, may be considered as next to impossible.

The majority of those whom we have not noticed particularly, are engaged in agricultural pursuits; a few having inherited handsome estates, and content to enjoy their patrimony amid the pleasures of a country life, without any desire of increasing it, but the larger number embarking in rural occupations, as a means of independent livelihood, from the narrowness of their fortunes.

In point of doctrinal belief and Church government, a singular fact is to be noticed. The whole family, with very few exceptions, is to be divided into the very opposite ranks of Churchmen and Quakers. In politics, we believe most are whig, although all of the present generation who have taken any public stand, or filled office, have been, if we are not mistaken, democratic. Since the death of the second David Jones, but one of the family has been in active

service—Lieutenant De Lancey Jones, a son of Henry Floyd Jones, Esq., and who displayed gallantry and skill in all the actions of the forces under General Worth during the Mexican war.

In this uncommonly extensive family, so far as we can learn, there is not, nor ever has been, but one physician, (Dr. Philip Livingston Jones,) until very lately; and not one clergyman, or artist, or writer by profession, with the exception of the present writer.

Longevity is a characteristic trait of the family; and, to illustrate this position, we have collected a few instances. The subject of the preceding biographical sketch died in his 71st year, the youngest of five brothers, the four elder still surviving. His father died in his 85th year; his grandfather in his 71st, whose elder brother, David, died in his 76th. The fourteen married children of William lived to a great age, in many instances. Of these we have the ages at about which ten of them died. David, 78; Samuel, 85; William, 85; Hallett, 73; John, 64; Walter, 71; Freelove, 79; Margaret, 74; Phebe, 83; Sarah, 84. The period of the decease of the remaining four was late, and their career is supposed to have been of the same average length as those of their brothers and sisters. Their children, in turn,

have, in many cases, already lived to that period when it is presumable, with the vigorous health they enjoy, that they will reach advanced age. Several have passed middle life; some have deceased at a mature age; and a few may now be ranked with the patriarchs of the family. In a word, this general rule holds in the family, that death occurs rarely in youth or middle life, and that most of the name have died in early infancy, or have lived to a green old age.

Great age is a peculiarity of the Herring family also. The second wife of Samuel Jones, the elder, died at the age of 80, and her mother at 73. The father of Judge Herring, (to whom I am indebted for these and other interesting details,) her brother, was 84 years old at the time of his death, and his wife deceased at ninety. At a family dinner given by this gentleman, were present his four married sisters: the host was the youngest of the party, and his age at that time was not far from 70.

Of the Family of Floyd Jones.

Of the family of Floyd-Jones, now occupying the estate of the first common ancestor of the name, the first European settler upon Fort Neck, some particular account is requisite, as of an important branch of the family. For this purpose, we transcribe, from a genealogical notice of the Floyd family, in Thompson's History of Long-Island, the following section, which will account for the origin of the patronymic :—

Richard Floyd,* fourth, eldest son of Richard, third,† of whom an obituary notice is given under

* Floyd is an ancient Welsh name. The first ancestor of the Floyds of Long-Island emigrated, in 1656, from Wales, and died about 1700. Some portion of his large real estate is owned by his descendants of the sixth generation. The family has, in its direct and collateral branches, produced, and been connected with, many distinguished names. Among these are General William Floyd, one of the signers of the Declaration of Independence, and Gen. Nathaniel Woodhull.

† Of this gentleman there is an account in Sabine. From the obituary notice we extract the following character, as an example of liberality of spirit that does honor to human nature :—"We think ourselves bound, in gratitude to the memory of this worthy gentleman, to acknowledge the many favors we and the public have received in and through his means during the late war, when he commanded the militia in Suffolk. *This gentleman was one of the*

article Brookhaven, settled upon his father's estate at Mastic, which he forfeited by his adhesion to the British cause in the Revolution. He removed to St. Johns, New-Brunswick, where he died in 1792. He married Arabella, daughter of the Hon. David Jones, by whom he had children—1st, Elizabeth, born August 8, 1758, and married John Peter Delancey, son of Lieutenant-Governor Delancey, and died May 7, 1820, having had three sons, Thos. James Delancey, Edward and William Heathcote Delancey, (Bishop of Western New-York,) and five daughters; Anna, who married John Loudon McAdam; Susan, wife of James Fennimore Cooper; Caroline, Martha, and Maria; 2d, Anne Willet, who married Samuel Benj. Nicoll in 1784; 3d, David Richard Floyd, born November 14, 1764, married Sarah, daughter of Hendrick Onderdonk, September 20, 1785, and died Feb. 10, 1826, leaving a widow, and sons Thomas and Henry. Mr. Floyd, in accord-

most generous that has ever lived in this country. All ranks of people were most courteously entertained by him, and he kept one of the most plentiful tables upon Long-Island; and he never failed in extending his generosity to the poor and distressed. In short, his character was, that no man ever went from his house either hungry or thirsty."

ance with the will of his grandfather, and in pursuance of the act of March 14, 1778, added the surname of Jones, and the family are now known by the patronymic of Floyd Jones. Mrs. Jones was born March 26, 1758, and is still living, at the age of 85.* Her sons are Brigadier Thomas Floyd Jones, born July 28, 1788, who married Cornelia, eldest daughter of Major William Jones; and Major-General Henry Floyd Jones, born January 3, 1792, and married Helen, daughter of Charles Watts, of South Carolina.

* Since deceased.

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